

OFFICE OF THE GENERAL COUNSEL  
Division of Operations-Management

MEMORANDUM OM 96-7

February 1, 1996

TO: All Regional Directors, Officers-in-Charge,  
and Resident Officers

FROM: B. Allan Benson, Acting Associate General Counsel

SUBJECT: Student Volunteer Service Program

Since August 1980 when the Student Volunteer Service Program was inaugurated in the field, Regional Directors have utilized the services of student volunteers on an increasingly more frequent basis with much success. In June 1982 the assignments to be given student volunteers were expanded and correspondingly eligibility requirements were changed to only allow participation by third-year law school students and graduate students in Industrial Relations who had completed one year of their graduate program.

In light of the current budgetary constraints imposed on this Agency and the impact on our ability to hire, we have decided to restructure our Student Volunteer Program to allow for more flexibility in the use of student volunteers in the Regional Offices. This expanded authority will be in effect for a one year period following the issuance of this memorandum and thereafter, will be extended on a yearly basis in the absence of an NLRBU notice to modify this expanded authority. The Student Volunteer Service Program will not adversely impact upon the NLRBU's institutional interest in pursuing clerical upgrades, paraprofessional positions and compensation for bilingual employees.

First, we have eliminated the requirement that law school students must be in their third year of law school and that graduate students must have completed one year of their graduate program. Second, we have decided to expand the program to include undergraduate students who are not only interested in Field Examiner work but also those interested in Computer Specialist and Language Specialist work.

The student volunteer program for students interested in Field Examiner work should be used to screen potential Field Examiner applicants for hire. Therefore, students with a 3.5 GPA on a 4 point scale who will be eligible for hire under the Outstanding Scholar Program should be given

priority consideration. Close attention should be paid to the transcripts of these applicants to insure that they will meet the 24 semester hour standard to qualify for the Field Examiner position upon graduation.

One of the major purposes of this program is to provide students with meaningful educationally related work experiences. Since the type and quantity of work available for student volunteers will vary from office to office, Regional Directors are in the best position to determine if there is sufficient work available within the Region to meet the educational needs and requirements of each category of student volunteer.

Law school and graduate students may continue to assist in processing Representation cases prior to formal hearing; conducting NLRB elections; investigating challenged ballots and objections to elections; investigating unfair labor practice cases; taking affidavits; and signing the tally of ballots after an election. Undergraduate student volunteers may now also assist in these functions. Student volunteers are still not authorized to conduct Representation case hearings or to write draft decisions in Representation cases. All authorized work will continue to be done under the close supervision and guidance of NLRB supervisors, experienced Field Attorneys and Field Examiners.

Language Specialist volunteers may assist in translating files of Representation and unfair labor practice cases, incoming mail, "Notices" (to employees or union members), press releases, and printed forms. They may also act as interpreters and translators for Field Examiners and attorneys and assist in taking statements and affidavits in connection with petitions and charges. This volunteer position may be filled by students who are fluent in Spanish and other languages where sufficient work exists in the Region. Since there is an increasing need for individuals with diverse language skills, please advise your Assistant General Counsel of the language in which your student volunteer may be fluent. By maintaining an inventory of languages spoken by volunteers, the student may be able to assist other regions with translation work.

Computer Specialist volunteers may assist in a variety of tasks associated with computers. This past summer students performed a myriad of duties such as teaching software packages on Windows, Excel, and Access; system administration with regard to the Novell Netware systems, cc:Mail database, and networking printers; computerization of the office by increasing the use of e-mail, creating a

template bank, standardizing day-to-day business functions; and troubleshooting. The duties of this position will vary from office to office depending on the needs of the office.

Each Region is initially authorized to select one student volunteer under the new guidelines for Language Specialist and Computer Specialist volunteers. Students interested in the Language Specialist position should be enrolled in a college language program. The Region is responsible for insuring that the language competency level of the applicant meets the needs of the office. Students interested in the Computer Specialist position should be enrolled in a college computer science program. If a Region believes that there are circumstances that would warrant the appointment of additional volunteers to these positions, this should be discussed with your Assistant General Counsel.

Before a Region selects a student volunteer, a written agreement must be developed jointly between the Regional Office and the educational institution in which the student is enrolled. A sample agreement is attached. The sample agreement should be tailored to fit the duties to be performed by the student volunteer and the requirements of the institution. Even though it is not required that the student volunteer receive credit for participating in the program, we encourage you to establish contracts with schools that would award academic credit to students who participate in our program.

No matter the position for which a student is selected, the student must furnish the standard application information required from all Field Examiner and attorney applicants. The security form 85P is not required unless the student volunteer will participate in the program for more than 120 days. The completed forms, transcripts and signed agreement should be forwarded to the Office of the Executive Assistant. No student volunteer should report until he or she has been cleared by the Security Office.

Although student volunteers are not Federal employees, their period of service may be used as qualifying experience for competitive purposes. The participating institutions, particularly those which award credit for service, may require certification of periods of service. Therefore, a Standard Form 52, "Request for Personnel Action," must be completed for each student volunteer indicating the days and the number of hours per week the student is expected to work. An executed copy of the attached statement entitled, "Designation of Agent of the General Counsel...", must also be submitted with the SF-52.

The Comptroller General of the United States has ruled that agencies may not pay travel and transportation expenses or provide benefits such as per diem or subsistence to student volunteers. Also, any travel must necessarily be with Board agents since student volunteers are not authorized to drive GSA cars. Some schools may have funds, such as foundation grants for legal clinic programs, which will cover the expenses the students may incur in casehandling travel. This issue should be explored with the schools when you are discussing the program with them.

Upon completion of a student's period of volunteer service, a Standard Form 52 indicating "Termination" must be submitted along with the time and attendance records. The back of the form should also indicate the number of hours the student worked. The Region should also submit an evaluation of the student's work performance within 30 days after completion of the work period. Since many of the students will be receiving academic credit for their work experience, the evaluations will be used by the schools in determining the students' grade for the program. The evaluation should be as detailed as those submitted for our summer student assistants. It will become a part of the student volunteer's file and will be useful if the volunteer applies for permanent employment at a later date.

This program should be utilized in conjunction with the affirmative action program.

If you should have any questions regarding this program, please contact Executive Assistant Carole K. Coleman or your Assistant General Counsel.

B. A. B.

Attachments

cc: NLRBU

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## **NATIONAL LABOR RELATIONS BOARD**

### **Student Volunteer Service Agreement**

#### **GENERAL:**

This Agreement is entered into between the National Labor Relations Board, hereinafter referred to as NLRB, and \_\_\_\_\_ for the purpose of providing educational and instructional work for students designated as eligible participants, under the authority of, and in accordance with, the Student Volunteer Service Program.

#### **DEFINITION:**

The Student Volunteer Service Program provides educationally related practical work experience and on-the-job training in an organized program for students in a non-pay status. Since such service is uncompensated, and while the participating students do act as agents of the NLRB for certain purposes, they are not considered to be Federal employees for any purposes other than injury compensation or laws related to tort claims.

#### **NLRB'S RESPONSIBILITIES:**

The NLRB will provide realistic and meaningful work assignments as part of the Student Volunteer Service Program. In this regard the NLRB will:

1. Provide the services of \_\_\_\_\_ to act as the NLRB Coordinator for student volunteers.
2. Inform the institution of work experience opportunities as they become available.
3. Provide the institution with an appraisal of the student's progress and work performance.
4. Select students, from a list of nominations made by the institution, without regard to race,

color, sex, age, national origin, marital status, politics or any other non-merit factor.

5. Notify the institution of the selection or non-selection of candidates.
5. Do all personnel processing related to externship of students.
6. Maintain time and attendance records on student volunteers, which are available to the institution..
7. Provide supervision and counseling to each student to orient him or her to the job and work settings.
8. Notify the institution of intent to terminate a volunteer's services because of unsatisfactory progress, interest, or failure to meet standards.
9. The NLRB cannot reimburse student volunteers for any traveling or living expenses they may incur while serving with the Agency as student volunteers. In this regard, the NLRB will seek to avoid assignments which would require overnight travel.

**INSTITUTION'S RESPONSIBILITIES:**

1. Provide the services of \_\_\_\_\_  
to act as a representative to work with the NLRB and oversee the quality of the supervision and student activities/work product.
2. Post or otherwise inform all prospective student volunteers of Federal student volunteer service opportunities.
3. Select and nominate students from among those expressing an interest without regard to race, color, sex, age, national origin, marital status, politics, or any other non-merit factor.
4. Select and nominate only students who \_\_\_\_\_  
\_\_\_\_\_

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5. Refer all nominated candidates, in writing, to the NLRB.
  6. Furnish the NLRB with requested data or information, which the institution is authorized to release, on nominated student volunteers.
  7. Notify the NLRB **promptly** of any change in the student's status.
  8. Work to strengthen the relationship between study and work assignments.

**DESCRIPTION OF WORK:**

Volunteers will participate in a special program of on-the-job work experience with the NLRB. While assigned to the NLRB, student volunteers will work under the guidance of experienced professionals and will assist the professionals in meaningful work assignments. The student volunteers may be involved in \_\_\_\_\_

\_\_\_\_\_  
Nature of assignments will vary subject to limitations imposed by NLRB policies and/or laws and regulations, and the needs of each office.

**STUDENT BASIC ELIGIBILITY REQUIREMENTS:**

Student volunteers must be in attendance at \_\_\_\_\_  
on a substantially full-time basis and have completed at least \_\_\_\_\_

**DURATION OF AGREEMENT:**

This Agreement shall continue indefinitely and be void after 60 days notification to terminate this Agreement by either party.

As a representative of the National Labor Relations Board, I approve the terms of this Agreement and pledge the support of the National Labor Relations Board in fulfilling this Agreement.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

As a representative of \_\_\_\_\_, I approve the terms of this Agreement.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)



**NATIONAL LABOR RELATIONS BOARD**

**Student Volunteer Service Program**

**Designation of Agent of the General Counsel, Protection of  
Privacy in Personnel Records, Availability and Disclosure of  
Official Information, and Standards of Conduct**

I hereby acknowledge that I have been designated an Agent of the National Labor Relations Board, and I also acknowledge receipt, as evidenced by my signature below, of 5 CFR, Parts 294, 297, and 735 pertaining to the other matters underlined above. I agree to review this material, and during my association with the National Labor Relations Board as a Student Volunteer, to the best of my ability comply with the requirements contained therein.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Region)

\_\_\_\_\_  
(Date)

On behalf of the General Counsel the undersigned hereby designates \_\_\_\_\_ as an Agent of the General Counsel.

\_\_\_\_\_  
Regional Director, Region \_\_\_\_

(Date)